

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

ERNEST BUSTOS,

Plaintiff,

VS.

GREGG A. DENNIS, d/b/a IIS BENEFIT
ADMINISTRATORS, *et al.*,

Defendants.

2:17-cv-00822-KJD-VCF
**ORDER GRANTING DEMAND FOR
SECURITY COSTS**

Before the Court is Defendants Gregg A. Dennis, Investment Insurance Services, Inc. and Southern Nevada Benefit Administrators LLC's Demand for Security Costs (ECF NO. 59). Defendants demand that Plaintiff post a cost bond in the amount of \$1,500 under NRS 18.130(1).

The statute allows a defendant in an action brought by an out-of-state plaintiff to demand that the plaintiff post a bond to secure costs up to \$500 for each defendant. Here, Plaintiff is an individual residing in Texas. Once the demand is filed and served, “all proceedings in the action shall be stayed” until the cost bond is deposited. If the bond is not posted within 30 days of the demand, the defendant may move for dismissal. Here, Plaintiff is an individual residing in Texas. Because a court order is required in this district for the Clerk of Court to permit the posting of a cost bond, the demand is tracked as a motion in the court’s system.

On April 26, 2018, Plaintiff filed a response attaching three affidavits, each affidavit states that Plaintiff has posted a cost bond for Defendants Gregg A. Dennis, Investment Insurance Services, Inc. and

1 Southern Nevada Benefit Administrators LLC. (ECF No. 60-1). Upon review of ECF No. 60-1, pages 3,
2 7, and 11, it would seem as though Plaintiff may have deposited the money to state court. The court's
3 accounting department verified that no cost bond has been posted in this matter. For Plaintiff's reference,
4 this court's address is listed below:

5
6 Lloyd D. George U.S. Courthouse
7 U.S. District Court
District of Nevada – Las Vegas
333 Las Vegas Blvd. South
8 Las Vegas, Nevada 89101

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10 Accordingly, with good cause appearing, IT IS HEREBY ORDERED that Defendants Gregg A.
11 Dennis, Investment Insurance Services, Inc. and Southern Nevada Benefit Administrators LLC's Demand
12 for Security Costs (ECF NO. 59) is GRANTED. In the event that the cost bond is presented for deposit,
13 the CLERK OF COURT is directed to accept the deposit of \$1500.00 under NRS 18.130 as security for
14 costs and charges that may be awarded against the plaintiff. The plaintiff must bring a copy of this order
15 to the Clerk's office when making this deposit.

16 IT IS FURTHER ORDERED that this case is stayed by operation of NRS 18.130(1) until the
17 \$1500 cost bond is deposited.

18 DATED this 8th day of May, 2018.

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21 CAM FERENBACH
22 UNITED STATES MAGISTRATE JUDGE
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